

HOUSE BILL 581

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C5

2001 Regular Session  
1r1663  
CF SB 79

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By: **Delegates Bobo, Frush, Morhaim, Nathan-Pulliam, Oaks, Pendergrass,  
Pitkin, and Stull**

Introduced and read first time: February 5, 2001  
Assigned to: Environmental Matters

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Committee Report: Favorable  
House action: Adopted with floor amendments  
Read second time: March 13, 2001

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Telephone Solicitation - Caller Identification Blocking**

3 FOR the purpose of prohibiting, under certain circumstances, a person engaged in  
4 telephone solicitation from intentionally using any device or method to block, or  
5 taking any other action to prevent or control, the transmission of the telephone  
6 number of that person to a recipient of a telephone solicitation; defining a  
7 certain term; providing for certain exceptions; and providing penalties for  
8 violations of this Act.

9 BY adding to  
10 Article - Public Utility Companies  
11 Section 8-205  
12 Annotated Code of Maryland  
13 (1998 Volume and 2000 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article - Public Utility Companies**

17 8-205.

18 (A) (1) IN THIS SECTION, "TELEPHONE SOLICITATION" MEANS AN  
19 ORGANIZED ACTIVITY, PROGRAM, OR CAMPAIGN TO COMMUNICATE BY TELEPHONE  
20 WITH RESIDENTS OF MARYLAND IN ORDER TO:

21 (I) SELL, LEASE, OR RENT GOODS OR SERVICES;

- 1 (II) ATTEMPT TO SELL, LEASE, OR RENT GOODS OR SERVICES;  
2 (III) OFFER OR ATTEMPT TO OFFER A GIFT OR PRIZE;  
3 (IV) CONDUCT OR ATTEMPT TO CONDUCT A POLL; OR  
4 (V) REQUEST OR ATTEMPT TO REQUEST SURVEY INFORMATION, IF  
5 THE RESULTS OF THE SURVEY WILL BE USED DIRECTLY TO SOLICIT PERSONS TO  
6 PURCHASE, LEASE, OR RENT GOODS OR SERVICES.

7 (2) "TELEPHONE SOLICITATION" INCLUDES THE ACT OF MANAGING,  
8 DIRECTING, OR SUPERVISING AN INDIVIDUAL ENGAGED IN TELEPHONE  
9 SOLICITATION UNDER PARAGRAPH (1) OF THIS SUBSECTION.

10 (B) THIS SECTION DOES NOT APPLY TO:

11 ~~(1) A UNIT OF FEDERAL, STATE, OR LOCAL GOVERNMENT; OR~~

12 ~~(2) A PERSON WHO HAS A PREEXISTING BUSINESS OR PERSONAL~~  
13 ~~RELATIONSHIP WITH, OR THE CONSENT OF, THE PERSON WHO IS THE RECIPIENT OF~~  
14 ~~THE TELEPHONE SOLICITATION.~~

15 (C) IF THE TELEPHONE SERVICE OR EQUIPMENT OF A PERSON ENGAGED IN  
16 TELEPHONE SOLICITATION ALLOWS THAT PERSON TO CHOOSE TO RESTRICT OR  
17 DISPLAY THE TRANSMISSION OF THE PERSON'S TELEPHONE NUMBER TO THE  
18 RECIPIENT OF A TELEPHONE SOLICITATION, THE PERSON MAY NOT:

19 (1) INTENTIONALLY USE ANY DEVICE OR METHOD TO BLOCK THE  
20 TRANSMISSION OF THE PERSON'S TELEPHONE NUMBER TO A RECIPIENT; OR

21 (2) TAKE ANY OTHER ACTION TO PREVENT OR CONTROL THE  
22 TRANSMISSION OF THE PERSON'S TELEPHONE NUMBER TO A RECIPIENT.

23 (D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR  
24 AND ON CONVICTION IS SUBJECT TO:

25 (1) FOR A FIRST OFFENSE, A FINE NOT EXCEEDING \$1,000; AND

26 (2) FOR EACH SUBSEQUENT OFFENSE, A FINE NOT EXCEEDING \$5,000.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 October 1, 2001.

